

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

STATE OF WASHINGTON,

Defendant.

CASE NO. C70-9213

Subproceeding No. 17-02

STIPULATION AND MOTION SETTING
PAGE LIMITS FOR MOTIONS TO
DISMISS

The undersigned parties ("Moving Parties") stipulate as follows and jointly move for the relief set out below. The Moving Parties have inquired of all parties and have not been informed that any party to this action opposes entry of the order below.

1. In this action, the Muckleshoot Tribe seeks to establish additional usual and accustomed fishing areas, as described in the Request for Determination [Dkt. 3].

2. On August 11, 2017, the Court entered an Order (Dkt. 21) setting a briefing schedule for anticipated motions to dismiss and/or summary judgment motions (the "Motions"). That Order stated that the parties "shall confer with each other no later than September 25, 2017 on appropriate page limits for all briefs, and shall present a motion to the Court for consideration on or before September 29, 2017 regarding page limitations for all briefs."

1 3. As ordered, the parties have conferred. The parties anticipate there will be two
2 Motions filed and an indeterminate number of joinders. The parties agree that the Court should
3 order the following relief:

- 4 a. The two Motions filed on or before October 13, 2017 will be limited to
5 twenty-four pages each.
- 6 b. Any party that intends to join the Motions and/or to file a brief
7 containing argument in support of the Motions shall do so no later than
8 October 27, 2017. Joinders shall be limited to five pages and shall not
9 repeat arguments made in the Motions.
- 10 c. Responsive materials in opposition to the Motions and joinders shall be
11 filed on or before November 27, 2017. Briefs in opposition shall be
12 limited to twenty-four pages per Motion; provided, however, that the two
13 opposing briefs of twenty-four pages may be combined into one brief at
14 the option of the filing party, and opposing parties will be allowed extra
15 pages to address any argument(s) made in any brief joining the Motions,
16 but only to the extent that such argument(s) were not raised in the
17 Motions. Such additional pages shall be limited to the number of pages
18 addressing such argument(s) in the filed joinders.
- 19 d. Reply briefs shall not exceed twelve pages each.

20 4. The Moving Parties stipulate to entry of the order below.

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DATED this 29th day of September, 2017.

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1
2 **ORDER**

3 Based on the foregoing stipulation, and for good cause shown,

4 IT IS SO ORDERED.

5 DATED this 2 day of October 2017.

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7 RICARDO S. MARTINEZ
8 CHIEF UNITED STATES DISTRICT JUDGE
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